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July 27, 2007

By Facsimile

The Honorable Patty Shwartz  
United States Magistrate Judge  
U.S. District Court  
Post Office Building & U.S. Courthouse  
50 Walnut Street  
Room 10  
Newark, NJ 07102

RECEIVED

JUL 3 / 2007

WILLIAM J. WALSH, CLERK

**Re:** *Novartis et al. v. Roxane* (2:06-cv-04125 (FSH))  
*Novartis et al. v. Taro et al.* (2:06-cv-04178 (FSH))  
*Novartis et al. v. Breckenridge* (2:06-cv-04199 (FSH))  
*Novartis et al. v. Teva et al.* (2:06-cv-04200 (FSH))

Dear Judge Shwartz:

Pursuant to the Court's Order filed July 20, 2007, Plaintiffs hereby propose the following protocol for searching for published materials referred to in patent applications and inventor files concerning particle size, food effect, and bioavailability of carbamazepine for the period between May 15, 1987 and May 2, 2006.

Plaintiffs propose to identify all United States and foreign patent applications (issued or abandoned) filed by any Novartis entity or by certain Novartis predecessors (*i.e.*, Ciba, Ciba-Geigy, and Sandoz) that relate to carbamazepine. Plaintiffs will review the files relating to all such applications, and will produce all non-privileged copies of published materials found therein that are dated between May 15, 1987 and May 2, 2006, and that relate to carbamazepine particle size, food effect or bioavailability. Plaintiffs expect that any such published materials would include those provided by inventors.

and the court having  
been telephonically  
advised on 7/3/07 that  
Respectfully submitted,  
*Henry J. Renk* all parties agree to  
this protocol on  
Henry J. Renk  
Ordered this 31<sup>st</sup> day of July 2007  
Patty Shwartz  
Hon. Patty Shwartz

By facsimile: Counsel of Record